



Advocates for Workplace Fairness

MEMORANDUM ENDORSED

April 15, 2020

The Court's pre-motion conference requirement is waived. The briefing schedule shall be in accordance with paragraph 2.B of the Court's Individual Practices. So Ordered.
Dated: April 15, 2020

Via CM/ECF

The Honorable Gabriel W. Gorenstein
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007


GABRIEL W. GORENSTEIN
United States Magistrate Judge

Re: *Wood et al. v. Mike Bloomberg 2020, Inc.*, No. 20 Civ. 2489 (LTS) (GWG)

Dear Judge Gorenstein:

Along with co-counsel, we represent Plaintiffs and opt-in Plaintiffs in the above-referenced matter. We write pursuant to the Court's Individual Rule of Practice 2(A)-(B) to request a pre-motion conference regarding Plaintiffs' anticipated motion for conditional certification of a collective and authorization of notice pursuant to the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 216(b). The parties have conferred regarding Plaintiffs' anticipated motion. If the Court grants Plaintiffs leave to file, the parties request that Defendant have 30 days to respond to the motion, and that Plaintiffs be permitted to submit a reply within 30 days of Defendant's response.

I. Litigation History

Plaintiff Donna Wood filed a Class and Collective Action Complaint on March 23, 2020, alleging violations of the FLSA and additional common law claims. ECF No. 1. Specifically, Plaintiff Wood alleged that Defendant Mike Bloomberg 2020, Inc. ("the Campaign") violated the FLSA by misclassifying her and other similarly-situated Field Organizers as exempt from the law's overtime requirements and failing to pay them overtime compensation for the hours worked above 40 in a workweek. *See id.* A week later, on March 30, 2020, Ms. Wood filed a First Amended Class and Collective Action Complaint, joined by 49 additional Plaintiffs, adding state law wage-and-hour claims from seven states and additional common law claims. ECF No. 29. Including Ms. Wood, 95 individuals have joined this case as opt-in plaintiffs. *See* ECF No. 50.

II. Factual Background

Prior to its abrupt and well-publicized mass layoff, the Bloomberg campaign employed thousands of Field Organizers in field offices throughout the country. ECF No. 29 (1st Am. Compl.) ¶ 134. Field Organizers worked very long hours and spent nearly all of their time contacting potential voters by phone or through in-person canvassing to generate support for the Campaign. As explicitly stated in the Campaign's job postings, Field Organizers worked under the